

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:24-cv-880-MOC

BRANDACE HOPPER,)
vs. Plaintiff, pro se,)
vs.) **ORDER**
NAVY FEDERAL FINANCE)
GROUP, LLC,)
Defendant.)

)

THIS MATTER comes before the Court on various motions by the parties: Plaintiff's Motion for Summary Judgment (Doc. No. 6); Defendant's Motion to Dismiss Plaintiff's Complaint (Doc. No. 7); and Defendant's Motion for Clarification (Doc. No. 13).

First, as to Defendant's motion to dismiss the original Complaint, Plaintiff filed an Amended Complaint on November 18, 2024. (Doc. No. 11). Because Plaintiff has filed an Amended Complaint, the pending motion to dismiss the Original Complaint is moot. See Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001) (“The general rule ... is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect.”); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motions to dismiss original complaint on grounds that amended complaint superseded original complaint).

Next, as to Plaintiff's Motion for Summary Judgment, the parties have not engaged in discovery, so the motion is premature. Thus, the Court will deny the motion without prejudice as premature.

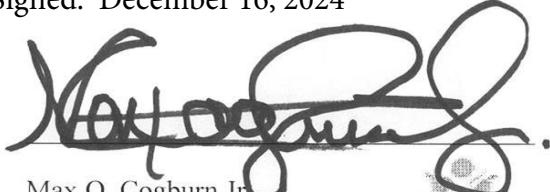
IT IS THEREFORE ORDERED that:

(1) Defendant's Motion to Dismiss, (Doc. No. 7), is **DENIED** as moot.

(2) Plaintiff's Motion for Summary Judgment, (Doc. No. 6), is **DENIED** without prejudice as premature.

(3) Defendant's Motion for Clarification, (Doc. No. 13), is **GRANTED** to the extent that this Order resolves the issues raised in Defendant's motion.

Signed: December 16, 2024


Max O. Cogburn Jr.
United States District Judge